☞ The Daily *Era* can be had every morning at the Periodical Stand of Mr. J. T. Bates, Exchange, Philadelphia; also, the Weekly *Era*.

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WASHINGTON, D. C.

SATURDAY, APRIL 22, 1854.

THE NEBRASKA BILL—A SURPRISE INTENDED.

It is understood that the conspirators who have been working so hard for the repeal of the Missouri Compromise, have matured a plan for effecting their object next Monday. A new Bill, embracing this object, is to be sprung upon the House; the member to whose care it is intrusted, is recognised by the Speaker; on motion, a majority dispenses with the usual order of proceedings; the Bill is read twice, and, under the operation of the previous question, ordered to be engrossed for a third reading; and at last it is forced through, without debate, examination, or time for amendment.

The Bill will be divested of Clayton's and Badger's amendments, and be modified in its verbiage, so as to afford a pretext for the wavering or dishonest, to vote for it, and then, if necessary, plead a misunderstanding in extenuation of the act; but, the great, and only object of the whole movement, *the repeal of the Missouri Compromise and the opening of Nebraska to slave immigration*, will be carefully secured.

It is stated that the plotters have counted heads, and have no doubt of their power to carry through the movement. There are seventy absentees, a large proportion of them *being opponents of the Bill*, and the Nebraska men do not scruple to take advantage of their absence. The Administration, too, has been at work. It is now understood that adhesion to the policy of repealing the Missouri Compromise is made a test of fitness for office. Members are approached in various ways. We know one from the West, who voted against the reference of the Bill to the Committee of the Whole on the state of the Union, and is now committed to its support, who, we are informed, was hostile to the measure when it was first introduced. *Some three weeks after its introduction, his brother was appointed to a capital clerkship in one of the Bureaus.* How far his change of position is to be attributed to fraternal love, the public must judge.

Meantime, wherever we turn, rumors meet us that an active trade has been going on, Executive *Intervention* with Congress being unscrupulously used to establish what may in mockery be styled the policy of *Non-Intervention*. The grand result is, that the repeal men, relying upon an accidental majority, propose, if Madame Rumor do not terribly belie them, to take the House by surprise next Monday, and force through a measure which could not be passed were all the members present, and which is notoriously odious in the eyes of nine-tenths of the People of the United States.

The plot is an insult to the People. If attempted, it will be a fraud and cheat. It is difficult to conceive how any man with one grain of honesty or fair-dealing in his composition can harbor the base idea of participating in it. The friends of good faith in the House should make up their minds to baffle so abominable a scheme, at all hazards. There are enough of them, at least, to put in execution the extraordinary means authorized by the rules of the House, to defeat a scandalous attempt to carry it by surprise and storm. Their constituencies, the country, will expect them to employ these at all hazards, and to the last extremity, until the People be effectually aroused, and the telegraph has summoned careless or recreant Representatives to their places. If there be the right kind of spirit among the opponents of repeal, the plot must fail.

Meantime, let us call attention to the fact that seventy members are now absent—a fact disgraceful to them, and evincing disloyalty to their constituents. No member has a right to absent himself, pending so vital a measure as this Repeal Bill, and when he has been warned (if the desperate purposes of its supporters, unless a matter of life and death calls him away.

A prominent characteristic of Congress is its fugacity. Sometimes a quorum cannot be mustered to do business. During the protracted consideration of the Gadsden Treaty—a measure of vast magnitude, and strenuously opposed on the ground of its gross corruption—only about two-thirds of the Senate have been present. The newspapers recorded twenty-eight votes for its ratification, sixteen for its rejection—so that there must have been eighteen absentees.

Private interests are never treated in this manner. A clerk who should absent himself from his post in a mercantile establishment for weeks during the pressure of important business, would receive his quietus. The Representative who neglects his public business, to look after his private affairs, is unfit for his place. If this outrageous plot to force through the repeal of the Missouri Compromise should succeed, in consequence of the absenteeism of its opponents, they should be banished from public life, until they have learned to understand its grave responsibilities.

THE HOMESTEAD BILL.

We observe that many people are under the impression that the Homestead Bill will pass the Senate. It is ungracious to disturb this pleasing illusion, but there is no use in deceiving ourselves. The Senators from the Slave States, with one or two exceptions, will vote against it, and it is too much to expect such wise and conservative gentlemen, as Mr. Toucey, and the Senators from the State of Camden and Amboy, as the New Yorkers phrase it, to countenance so radical and progressive a measure.

We confess we have little hope of the Public Lands. They are doomed, unless the People choose to send representatives to Congress, who will protect them against plundering, log-rolling combinations.

A homestead bill, if it could be passed, would secure to the poor and landless something from the wreck which these combinations are making of the public patrimony; but the Senate is in the way, and, for aught we can see to the contrary, will always be in the way. It is not a Popular body in its composition or in its sympathies. It does not derive its existence from the People, and its responsibility to the People is too remote and feeble to secure for them a great weight in its deliberations. A body that can pass the Nebraska Bill, ratify the Gadsden Treaty, and reject the Homestead Bill, needs reconstruction.

THE TEST OF ORTHODOXY IN THE SENATE.

Strange things are done in secret session of the Senate, which the good People are not often permitted to catch even a glimpse of. Some sensation has recently been awakened by the rejection of Mr. Angell, a Barnburner of New York, nominated for the Consulate at Honolulu. The Public would have been edified, we presume, had the proceedings in the case been open. So far as we can reason from the known to the unknown, Mr. Angell was rejected because the majority of the Senate was not satisfied that he was free from the taint of Free Soil, or sound on the Nebraska Question. He had voted for Van Buren in 1848; subsequently, however, acted with the Party in New York that placed itself upon the Baltimore Platform, and elected General Pierce. Like the rest of his political associates, he accepted the test, and was admitted to the fellowship of the so-called Democratic Party. The President, in pursuance of the policy of securing the allegiance of those who, in a paroxysm of excitement, arrayed themselves against the regular Baltimore nominations of 1848, accepting Mr. Angell's present acquiescence in the Baltimore Platform and support of his Administration, as an evidence of his orthodoxy, nominated him for a consulate; but the majority of the Senate, with a keener scent for heresy, inferred, we presume, from the antecedents of the nominee, that he was not sound on the Nebraska Question, and so rejected him.

The Independent Democratic Senators, of course, could have nothing to do in the premises. They could not with any consistency vote *for* the ratification of a nomination which would never have been made but for the repudiation by the nominee of the doctrine and policy which they and he had supported in common in 1848; and they could not vote against it, when they saw that he was to be rejected because suspected still of a lingering taint of Free Soil. With such nominations they clearly have nothing to do. Let the Administration Party settle for itself to what extent a man must humble himself for having supported the cause of Freedom and Free Soil in 1848, in other words, what must be the nature and amount of the expiation for that deadly offence, requisite to qualify him for a consulate, a post office, a mail contract!

Meantime, will not our Democratic (?) Senate be gracious enough to permit the People to look in on their proceedings in regard to nominations, so that they may learn what are the necessary qualifications of an office-holder? They are already aware that capacity and honesty are rather minor considerations, and that even fidelity to the Party is somewhat at a discount. What, then, is it that governs the majority of the Senate in its decision? If there is a Class Interest that reigns supreme in that body, and fidelity to its demands is an absolute condition to the ratification of any nomination, surely the Senate is too bold and honorable to shrink from avowing the fact. We submit that it is very cruel, especially to office-seekers, to say nothing of the impolicy of the thing, to keep this matter hidden from the People. To make public the test, might have a softening influence on the Anti-Slavery prejudices of our fellow-citizens, and especially dispose the office-seekers to repent, in sackcloth and ashes, of Free-Soilism, and to bring forth fruits meet for repentance. Besides, the Senate might acquire a new hold on the affections of the People. Making the support of the repeal of the Missouri Compromise a test of fitness for office, would vindicate its solid consistency in the eyes of mankind. It would show the same kind of pluck and sagacity the President did, when, through Mr. Cushing, he put his heel on Free Soil, broke up the *enteinte cordiale* between the Hunker Democracy and the Independent Democracy in Massachusetts, defeated the new Constitution, and gave the State to the Whigs. That illustrious act of devotion to Slavery, regardless of consequences, we commend to the Senate. Let it emulate the bravery of that great man, and avow publicly the test which it now enforces secretly—submission to Slavery in general, and support of the Repeal of the Missouri Compromise in particular, absolute conditions to the ratification by this body of all nominations.

MAKE NEBRASKA AND KANSAS FREE STATES.

The St. Louis *Anzeigner des Westens*, a German newspaper, says:

"A new, vast, fruitful Territory, on the western boundaries of Missouri and Iowa, is at this moment opened to immigration; but at the same time pitiable demagogues, who speculate upon Southern votes at the next Presidential election, make the lowest attempts to transplant the evil of Slavery into these new, free Territories.

"The Nebraska bill of Douglas will be passed in Congress — for our Congress has long since ceased paying any attention to public opinion and the wishes of the people; it is, therefore, the concern of the citizens to take the matter in hand, and make Nebraska a *free* Territory, and at some future time a *free State*. For this purpose, it is necessary that free labor should immigrate in overwhelming masses to Nebraska, and thus cut off all prospect of slaveholding preponderance in the future. We therefore propose the organization of Colonization Associations in all States of the Union. These associations, by contributions of the members, can soon raise sufficient funds to advance and assist the *immigration of free laborers to Nebraska*. Let colonization associations of free laborers constitute themselves in all large cities, assist the immigrants with advice and *deeds*, make contracts with steamboats to take the laborers to the new territory for half price, appoint agents in those harbors where the immigration lands, who will conduct the new comers to the place of destination; in short, show but one-tenth part of the energy which the African Colonization Society has shown for Liberia, and Nebraska will become and remain a *free State*."

In Massachusetts, a company with a capital of five millions is about to be incorporated, for the promotion of the objects above described. This project has been attributed to Eli Thayer, an enterprising citizen of Worcester, and has attracted the attention of the people of all New England. The Boston *Commonwealth* contains an appeal from a gentleman in New Hampshire, who says: "Let a colony be established as far south as possible, and thus hedge off Slavery and keep it within its present limits, and it will never cross that hedge."

We are not so sure of this; but, as an auxiliary means, the plan proposed should not be disregarded. It is benevolent, practicable, and safe, and would prove a blessing to all parties interested, even without reference to the question of Slavery.

THE BALTIMORE PLATFORM AND THE BILL FOR THE RELIEF OF THE INDIGENT INSANE.

The Baltimore Platform is constantly held up as embracing the whole creed of Democracy, and belief or acquiescence in it is demanded as a condition to fellowship in the so-called Democratic Party. General Pierce placed himself upon it when he accepted the nomination for the Presidency, reaffirmed his adhesion to it in his Inaugural, and announced that conformity to it would be the only test of friendship for his Administration. Since then, his party, through State Conventions and through its united press, has invested this platform with a certain kind of sanctity, pretending to regard it with almost as much reverence as the ancient Jews cherished for the Decalogue.

But it was easy to see that the great object of all this devotion was to screen the system of Slavery from disturbance. The ten commandments of the Baltimore Platform resolved themselves into this—thou shalt not question the claims, limit the power, restrict the area, or interfere with the policy, of the Slave Interest. All other sins may be forgiven; but resistance to Slavery shall not be forgiven. You may go for protection to the iron interests of Pennsylvania, for improvement of rivers and harbors, for using the money of the Public Treasury to enrich private corporations, for wasting the public lands in grants to railroad speculations, and yet be a good Democrat. All these things are forbidden by the Baltimore Platform, but they are subordinate. The one thing needful is, obedience to the article on Slavery. When adhesion to the Baltimore Platform is demanded as a condition to party fellowship or political preferment, it simply means acquiescence in whatever claim the Slave Power may set up.

We do not caricature. The politicians in Washington know that our representation is the exact truth.

Let us see how strictly the Baltimore Platform has been adhered to by a so-called Democratic Senate and House, in the matter of the Bill reported last week for the relief of the Indigent Insane. This Bill provides for the grant of ten millions of acres of the public lands, to the several States and Territories, to be apportioned in the compound ratio of their geographical area and representation in the House of Representatives, and to be used by them exclusively for the benefit of the indigent insane within their respective limits, as prescribed in the act. The second section contains the following provision:

"That the land aforesaid, after being surveyed, shall be apportioned to the several States and Territories, in sections or subdivisions of sections; and whenever there are public lands in a State or Territory, worth one dollar and twenty-five cents per acre—the value of said lands to be determined by the Governor of said State or Territory—the quantity to which said State or Territory shall be entitled shall be selected from such lands; and the Secretary of the Interior is hereby directed to *issue to those States in which there are no public lands* of the value of one dollar and twenty-five cents per acre, LAND SCRIP TO THE AMOUNT OF THEIR DISTRIBUTIVE SHARES IN ACRES, under the provisions of this act, SAID SCRIP TO BE SOLD BY THE STATES, AND THE PROCEEDS THEREOF APPLIED TO THE USES AND PURPOSES PRESCRIBED IN THIS ACT," &c.

The policy of the Bill, then, is the old policy of Land Distribution, the public lands themselves being distributed among some of the States and Territories, and their proceeds among other States, in the form of land scrip, to be disposed of by them.

For this measure, Whigs and Democrats, as they are called, voted indiscriminately. There was little opposition in the Senate; and in the House, where Mr. Bissell, a Baltifore Platform man, had the charge of it, it was summarily put through by a vote of 81 to 53, no Party being arrayed in opposition to it, but members without distinction of Party, supporting it.

Now, what says the Baltimore Platform, which this Democratic Congress has been at such pains to consecrate?

"VI. *Resolved*, That the proceeds of the public lands are to be sacredly applied to the National objects specified in the Constitution; and *that we are opposed to any law for the distribution of such proceeds among the States, as alike inexpedient in policy and repugnant to the Constitution.*"

"Opposed to *any* law for the distribution of such proceeds among the States;" and yet the men who swear by this declaration, have just voted for an act making such distribution!

Ah—it will be found that the only sacred article in the creed of the Baltimore Platform, is that which makes Slavery the corner-stone of the so-called Democratic Party of the Union.

Memoir of Richard Williams, Surgeon: Catechist to the Patagonian Missionary Society in Terra del Fuego. By James Hamilton, D. D. New York: Robert Carter & Brothers. For sale by Gray & Ballantyne, Washington, D. C. 1 volume, pp. 255.

There is a moral grandeur in the self-sacrifice of the missionary of the Gospel, to which the arena of earthly ambition presents no parallel. We daily see men giving up everything in the pursuit of gold; but few are they who, for Christ's sake alone, voluntarily exchange a life of ease and luxury for one of privation and suffering, without the possibility of earthly emolument. Young says—

"That life is long which answers life's great end."

If this be true, the brief life of Richard Williams was longer than that of many who attain to three score years and ten. He has illustrated, in a remarkable manner, the strength of love and the power of faith. While enduring the most severe suffering, with the prospect of a lingering and dreadful death before him, his soul rested in perfect tranquillity upon God as upon a rock, sheltering itself trustingly under the wing of Almighty Love, and joying even in being permitted to suffer for Christ's sake. Thus does God compensate his children who deny themselves from love to him, by inward peace and happiness, of which only those who make such sacrifices can have any conception.

We cordially recommend the book to the Christian reader. It would be hardly possible to read these devout aspirations after holiness, intimate communings with God, and earnest consecration of the whole soul and being to the work of saving souls, without feeling impelled to a more faithful and active Christian life. G.

Administration Defeat in Philadelphia. It is well known that the Administration was desirous that the Hon. John Robbins, M. C., should be nominated as Mayor of Philadelphia, and had its agents in the Custom House and Post Office at work to accomplish that end. The very fact defeated the purpose intended. The Democracy, disgusted at Administrative interference with local affairs, determined to give it a pointed rebuke, which they did, by the selection of the Hon. Richard Vaux as their candidate, by a large majority. The Administration must try again somewhere else.—*New York Daily National Democrat.*

May it not be asked, whether an Administration that could interfere with the expression of the popular will in New York, Massachusetts, Mississippi, New Hampshire, Connecticut, &c., would, from any cause, refrain from using its most potent stimulants in the United States House of Representatives? Look closely to the votes of each member of that body, and look for the motives of some of them.

Commerce upon the Ocean.—At a banquet given in London to Lord Elgin, Governor of Canada, Lord John Russell spoke of the possibility of the political independence of Canada, and the continued friendly feelings of the mother country. Lord Elgin replied, and alluded with kindness and respect to the United States. Lord Ellesmere toasted Mr. Buchanan, who said, among other good things—

"I cannot suffer this occasion to pass without expressing my gratification with her Majesty's wise and liberal declaration in favor of neutral commercial rights during the existing war. It is worthy of the civilization of the nineteenth century, and worthy of the best constitutional sovereign who has ever sat upon the proud and powerful throne of Great Britain.

"The time will arrive when war against private property upon the ocean will be entirely proscribed by all civilized nations, as it has already been upon land, and when the gallant commanders of the navies of the world will esteem it as great a disgrace to rob a peaceful merchant vessel upon the seas, as the general of an army would now do to plunder the private house of an unoffending citizen." [Loud cheers.]

☞ The miserable wretch, James Quinn, was executed at Wilkesbarre yesterday, for the murder of Mahala Wiggins, on a canal boat, last fall. He met his fate with great indifference, and died almost without a struggle, making no confession. If his death in this manner would deter others from crime, there would be something to reconcile a portion of the world to the strangling process.

☞ The number of emigrants that arrived at the port of New York on Thursday, April 20, was 5,508. They may meet with a reluctant reception in our cities, but there are rich lands, flowing rivers, and bright skies, in the far West; and wherever a family of these people cultivate a hundred acres of this land, they double the value of another hundred acres to the north, to the south, to the east, and to the west, of them.

☞ A dispatch from New Orleans states that the steamer Black Warrior had arrived there, with Havana dates to the 16th inst. The authorities were civil towards the officers, and permitted the ship to clear in transit after office hours. But we suppose the Black Warrior had her papers all right this time.

☞ Committees of Conference of the two Houses of the Pennsylvania Legislature, relative to the Liquor Law, have agreed upon a plan for submitting the question to a vote of the people.

☞ The powder mill of John Conolly & Co., near Rochester, exploded on Thursday night. The shock was terrific, shaking the whole city. No lives were lost. The damage amounts to $3,000.

☞ A despatch from Louisville on the 20th states that Judge Kincheloe had prohibited the publication of the evidence in the case of the brothers Ward, until after the trial is over.

☞ The ice was broken up in front of Montreal on the 20th, but had not moved down. The river had still to be crossed in boats.

☞ There is a rage for Artesian wells in Baltimore, for race-horses at New Orleans, and for marble monuments everywhere.

Theatrical Swearing.—The New York *Mirror* says that upon the stage of our most fashionable theatres, and where ladies of refinement congregate, profane expletives are profusely sprinkled throughout the play, that were never written by the author. We are glad to see theatrical critics notice this practice in a spirit of censure. Many others have always been aware of the disgraceful practice, and shunned the theatre wholly or partially in consequence of this degrading and vulgar abuse.

The Inveterate Barnum.—At New York, yesterday, a prominent Wall street broker refused the notes of the Pequonock Bank, at Bridgeport, Conn., but confidence was subsequently restored by the publication of a card by P. T. Barnum, in which he stated that the institution was in a most flourishing condition, and pledged his entire fortune for twelve months for its liabilities.

War.—Admiral Napier arrived at Copenhagen on the 6th of April, and immediately went to the Danish Admiralty. He had signalled to his fleet the following characteristic appeal:

"Lads—war is declared against Russia. The enemy is powerful. Let him attack us, and you will know how to deal with him. Should he remain in port, we will go and seek him. Remember that sure and rapid firing gains the day. Sharpen your cutlasses, and the victory will be ours."

Flattery is a sort of bad money, to which vanity gives currency.

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For the National Era

THE LEGAL TENURE OF SLAVERY.

LETTER XII.

COLONIAL SLAVERY ILLEGAL, BY DECISION OF THE COURT OF KING'S BENCH.

To the Friends of American Liberty:

I promised to consider, in this Letter, the bearings of Lord Mansfield's decision against the Legality of Slavery in *England*, upon the Legal Tenure of Slavery in the *Colonies* of England.

Two distinct yet closely connected topics present themselves here. The first has respect to the legal identity of the tenure of slave property in England and in her Colonies, and the second, to the jurisdiction of the English courts over colonial jurisprudence.

The first question, I think, is pretty easily settled, in the light of the historical facts that have been presented. The Slavery of the Colonies originated in the African slave trade. So did the Slavery of the mother country. The Slavery of the Colonies existed under the jurisdiction of English common law; so did that of the mother country. No adequate or valid legislation (as has been shown) amounting to a "municipal law" establishing Slavery, had taken place in the Colonies, and there had been no such legislation in England.

So identical, indeed, was the Slavery of the mother country with that of the Colonies, that the slaves of the former were, for the most part, introduced from the latter, and were accounted slaves *in consequence* of that circumstance. Had they not been held as slaves in the Colonies, they would not have been claimed and held as slaves in England. The converse would then seem to hold good, viz: If illegally held in England, under a tenure *derived from* the Colonies, then the tenure under which they were held in the Colonies must have been defective and invalid.

The only conceivable objection seems to be this. It might be said that, though legally held in the Colonies, they became free on their arrival in England, under English common law, or natural law, having passed out from under the jurisdiction of "municipal law" in the Colonies. This objection concedes the soundness of our first position, viz: that Slavery can exist only by municipal law, and not under English common law or natural law. It renders it incumbent on the colonial slaveholder to produce the positive "municipal" colonial law, which, as we have seen, does not exist, or has not been found. If natural law or English common law were incompatible with the legality of Slavery in England, then they were incompatible with the legality of Slavery in the Colonies; so that a judicial decision, *in the Colonies*, corresponding in principle with the decision of Lord Mansfield in England, would have been proper, and, if carried into effect, it would have terminated Slavery in the Colonies.

But a second topic of inquiry remains. Did the judicial decision of Lord Mansfield bind the Colonies, or did it bind only the mother country?

If it bound only the mother country, there must have been some cause or reason *why* it did not extend to the Colonies—to all the dominions of Great Britain. What could that cause or reason be?

It could not be because the Colonies were independent of the mother country, for they were not so, and did not claim to be. It could not be because the Colonies were not under the jurisdiction of English common law, for they *were* under its jurisdiction. It could not be because the Colonies or their Legislatures were authorized, or were competent, to enact laws contrary to English common law, for this was not the case. Lord Mansfield decided that the condition of Slavery was not compatible with English common law. His decision therefore was equivalent to a decision that Slavery in the Colonies, under English common law, was not legal. The common law would have been a complete nullity in the Colonies, if a decision against the legality of Slavery by the Court of King's Bench in England, on the ground of its incompatibility with the common law, did not determine and declare that Slavery in the Colonies was illegal. And if the decision was not binding upon the Colonies, then the common law was not binding upon them, which, we know, was contrary to the fact. But this absurdity must be received as a trustworthy exposition of law, or else it must be admitted that the decision of Lord Mansfield was a decision against the legality of Slavery in the Colonies.

And we know that this was the understanding at the time, in England, among those who were in sympathy with the decision. Witness the following:

"Immediately after the trial," (*i. e.* of the Somerset case,) "Mr. Sharp felt it his duty to write to Lord North, then principal Minister of State, *warning* him, in the most earnest manner, to abolish, *immediately*, both the slave trade and the Slavery of the human species, *in all the British dominions*, as utterly irreconcilable with the *British Constitution* and the established religion of the land."*

Let it be noticed that this was not a petition to Parliament, for the *abolition* of Colonial Slavery, but a demand on the Prime Minister for its summary executive suppression, under the decision of Lord Mansfield. Let it be noticed, further, that the approving record of this, by Thomas Clarkson, identifies *his* name with that of Granville Sharp, in the expression of the sentiment.

It is true that the measure was not carried out (and, by the by, there were one or two legal decisions against Slavery in Massachusetts before the measure was carried out, in its suppression†—as there had been *one* similar decision in England before that of Lord Mansfield, in the early part of Queen Elizabeth's reign.‡ Laws are not always enforced) The slaves in the Colonies had no Granville Sharp, to bring their causes into court. Perhaps the difficulties resulting in the American Revolution prevented the enforcement of the decision in the Colonies. The legal fact, and the legal effects of it, nevertheless, remained.

The same view was revived, and disseminated in England, preliminary to the abolition of British colonial Slavery in the West Indies, and as a principal means of urging onward that measure. Thomas Clarkson, in his old age, wrote a pamphlet, in which he maintained that there was not, *and never had been*, any legal Slavery in the Colonies. "The planters," said he, "can neither prove a moral nor a *legal* right to their slaves." The prevalence of this sentiment in England was identified with the act of Emancipation.§ And there are good grounds for the belief, that if Parliamentary interference had been much longer delayed, the measure would have been carried, and without any compensation, by a judicial decision, declaring colonial Slavery illegal.‖ Intelligent English lawyers do not now speak of West India Slavery as having ever been legal.

Chief Justice Shaw, of Massachusetts, in giving the opinion of the court in the case of the Commonwealth *vs.* Thomas Aves, in 1833, adverted to the judicial abolition of Slavery in Massachusetts, some time during the last century, and remarked, that it was uncertain whether this decision was an "*adoption of the opinion in Somerset's case*, as a declaration or modification of common law, or by the Declaration of Independence, or the (State) Constitution"—thus intimating that *either* of them would have been sufficient for the purpose.¶

I conclude, then, that the decision of Lord Mansfield in the Somerset case, in 1772, only about four years previous to the Declaration of Independence, was equivalent to a judicial declaration of the illegality of Slavery in the Colonies, and that the decision was legally binding upon them. So that colonial Slavery was illegal, during the whole period of colonial dependence, and up to the 4th of July, 1776.

And I ask the friends of American Liberty to bear in mind that (as has been shown) the victories gained over Slavery in England, over the African slave trade, and over British West India (and I might add, East India) Slavery, have been gained in connection with the promulgation of sentiments adverse to the legality of the slave trade and Slavery in the British dominions. William Goodell.

* Clarkson's Hist., p. 44.

† In the case of James *vs.* Lechmere, in 1770, six years before the Declaration of Independence, and two years before the decision of Lord Mansfield in the Somerset case, the Supreme Court of Massachusetts denied the right of a master to hold a slave, upon the same grounds, substantially, upon which Lord Mansfield discharged Somerset.—Washburn's Judicial History of Massachusetts, p. 202.

This case, while it confirms my view of the illegality of Slavery in the colonies, and the identity of tenure between English and Colonial Slavery, may serve also to expose the current fallacy, that the undisturbed and continuous *practice* of Slavery, and the connivance of the public authorities, prove it to be *legal*. No abuses are more palpable or more inverate than those that take shelter under custom, precedent, great names, and public functionaries, under deceptive pretence of legality.

‡ See Rushworth's Collections, p. 468. It was the case of a slave, or serf, brought from Russia.

§ "Slavery and Anti-Slavery," p. 356.

‖ "American Slave Code." Note on p. 270. The act of Emancipation, accordingly, did not *repeal*, or assume to repeal, any *existing laws*, either Colonial or British. It only provided for the suppression of an existing custom or practice, the same as in the act suppressing the African slave trade. These statements are made on authority of John Scoble, late Secretary of the British and Foreign Anti-Slavery Society, London.

¶ "Slavery and Anti-Slavery," p. 111.

THE EMIGRANTS' AID SOCIETY.

[From the Worcester (Mass.) Daily Spy of April 18.]

We have before stated, in our legislative report, that a bill had been reported in the Legislature, to incorporate the "Emigrant's Aid Association." The petitioners asked for a capital of $10,000,000. The committee reported a bill giving them a capital of $5,000,000, real estate in the Commonwealth not exceeding $20,000, in shares of $100 each, not more than $4 per share to be assessed the present year, and not more than $10 a year in any one year thereafter.

The corporators are B. C. Clark, Isaac Livermore, Charles Allen, Isaac Davis, Wm. G. Gates, Stephen C. Phillips, C. C. Hazewell, R. H. Bulloch, Henry Wilson, James S. Whitney, Samuel E. Sewall, Samuel G. Howe, James Holland, Moses Kimball, James O. Green, F. W. Bird, Otis Clapp, Anson Burlingame, Eli Thayer, Otis Rich, and their associates, successors, and assigns, and they belong indiscriminately to all parties.

The incorporation of an Emigrant's Aid Association, by the Legislature of Massachusetts, with an ample capital, and the enlistment of men of large experience and great influence, in the enterprise of establishing colonies of free men in the fertile territories of the West, is the commencement of an undertaking from which great and beneficial results are sure to follow. From what we know of the movement, as it has thus far developed itself, and of the men who are foremost in carrying it forward, we have every reason to believe that the present season will not be suffered to pass away, without the maturing of a regular plan of emigration, by which towns and villages of free laborers will be made to spring up in that magnificent heritage, one after another, in rapid succession — towns which will be peopled with a liberty-loving population, whom slaveholders cannot seduce from their allegiance to free institutions, and who will establish upon a firm foundation, as the basis of their State organizations, the great republican doctrine of the equality of all men before the law, as they are all equal before God.

There are thousands of young men in New England, just starting in the race of life, who are ready for any hardship, or any adventure, where honor or the hope of profit leads the way. There are thousands and tens of thousands daily landed upon our shores, from the old world, seeking an asylum here from the tyranous institutions which have crushed and impoverished them in the lands of their nativity, and to all such, the Emigrant's Aid Society will have more than words of hope and encouragement. Its agencies in every great Northern city of the Union, conducted by responsible men, devoting their whole time and energies to the furtherance of the objects of the society, will be ready at all times to furnish the needed information, as to the localities, soil, climate, and productions, to all who may desire to avail themselves of it. They will be able to direct, by these and other facilities which they will always have on hand, such a torrent of emigration into those sparcely-settled territories, as will make the air resound with the hum of productive industry, and the prairies smile with harvests as luxuriant as ever rewarded the toil of the husbandman.

The True Way to Rise in the World.—It is only by plodding, active habits of industry, that we can hope to win our way through life. The race may be arduous, but it is one which will well repay the competitor. Barrow justly says—"A noble heart will disdain to subsist, like a drone, upon honey gathered by others' labors; like a vermin, to filch its food out of the public granary; or like a shark, to prey on the lesser fry; but will rather outdo his private obligations to other men's care and toil by considerable service and beneficence to the public. For there is no calling of any sort, from the sceptre to the spade, the management whereof, with any good success, any credit, any satisfaction, doth not demand much work of the head, or of the hands, or of both." Milton, who, during an active life in the most troublesome times, was unceasing in the cultivation of his understanding, thus decribes his own habits: "Those morning haunts are where they should be, at home, not sleeping or concocting the surfeits of an irregular feast, but up and stirring; in winter, often ere the sound of any bell awake men to labor or devotion. In summer, as oft with the bird that first arouses, or not much tardier, to read good authors, or cause them to be read, till the attention be weary, or memory have its full fraught; then with useful and generous labors preserving the body's health and hardiness, to render light some, clear, and not lumpish obedience to the mind, to the cause of religion, and our country's liberty." Any man who does not profit by such noble example is an enemy to the public weal.

American Debt Abroad.—The London *Times* impeaches the correctness of the Treasury returns of the amount of funded indebtedness of the United States abroad. It complains that in the returns given by the four repudiating States of Mississippi, Michigan, Florida, and Arkansas, the amounts held by foreigners are either suppressed or falsified. Illinois, which is put down as a defaulting State, withholds the particulars as to where the sufferers from her course are chiefly to be found. Reckoning these with other omissions, the impression of the *Times* is, that instead of the State stocks held out of the country being put at £14,585,000, the sum should be at least £22,585,000, even without making full allowance for arrears of interest &c. The total of all kinds of United States securities abroad may therefore be assumed to be little short of £45,000,000, or about a fifth of the entire total of £235,900,000.

ITEMS.

The opponents of the Nebraska bill should remember that vigilance is the price of liberty.

There may be no spiritual manifestations connected with table rapping; but if there are phenomena, they ought to be investigated.

The Mayor and Aldermen of New Bedford have very properly directed the police to destroy all dogs found running at large without muzzles.

A petition is in circulation in New Bedford, asking the Mayor and Aldermen to place the names of colored citizens in the jury-box.

At a late trial, the defendent, who was not familiar with the multitude of words which the law employs to make a trifling charge, after listening awhile to the reading of the indictment, jumped up and said, "them 'ere allegations is false, and that 'ere alligator knows it!"

At a cost to the United States of only $400, a location has been selected for a Penitentiary in Utah. Congress has appropriated $20,000 for building this establishment. The site selected is five miles north of Salt Lake city.

Mining is now actively progressing in the Maryland coal regions. Sixteen thousand tons were forwarded last week.

From the Richmond (Virginia) Enquirer.

THE COMMERCIAL CONVENTION.

We apprehend the most zealous champion of Southern interests will be constrained to acknowledge that the Charleston Convention was an abortion, if not something worse.

For ourselves, we have no great confidence in the efficacy of Conventions, as an instrument for stimulating and directing public sentiment. Experience justifies our distrust. In the South we have had scores of Conventions, contemplating as many different objects, and in no single instance has any practical result been achieved. They are admirable inventions for exhuming defunct politicians; and they afford a convenient theatre for the display of an eloquence for which ambitious young gentlemen find no utterance in the halls of legislation or the courts of justice. But they are not much frequented by men who have other employment, nor do they commonly contribute anything to the stock of human wisdom. At best, they bring forth only preambles and platforms, and it is yet to be demonstrated that there is any virtue in a "whereas" or a "resolve." The Charleston Convention furnishes no exception to the uniform testimony of experience, that the most profuse expenditure of words and of wine, the most eloquent utterance of patriotic sentiment and desperate design, go but a little way towards consummating any scheme of political or commercial improvement.

We do not appreciate the necessity of these Southern Conventions. We do not admit that the South is in such deplorable plight that a periodic consultation must be held over its prostrate body, with a view to determine the best means for reviving its sinking fortunes. On the contrary, it seems to us that the South is in an eminently happy and prosperous condition. But, if this were not so, the profitless declamation of a Convention would hardly remedy the matter. The relations and conditions of commerce are governed by the laws of trade, and it is impossible to frustrate their operation by any artificial contrivance. It would not be less irrational for the North to complain that she does not produce as much cotton as the South, than it is for the South to complain that the North has the advantage in the facilities of commerce. If it be cheapest and best that the South should transact its own exchanges, no Convention will be necessary to ascertain the fact. Private interest, with unerring instinct, will soon enough discover the advantage, and turn it to account.

It may be said that these Conventions are necessary to ascertain and embody public sentiment. What, then, is the function of the Press? And can we suppose that the State Legislatures are so delinquent that a Convention of volunteer statesmen must look after the public interests? The Charleston Convention suggested the expediency of a direct trade between the ports of the South and the foreign market; but this was long since determined by the Legislature of Virginia, and we doubt if the movement will be at all accelerated by the most swelling resolution of a body of enthusiastic but irresponsible gentlemen.

Special and peculiar causes made the Convention at Charleston a ridiculous blunder. From beginning to end, the thing was managed and controlled by politicians.

In contemplating the action of the Charleston Convention, but one thing strikes us as deserving commendation. The conduct of the Virginia delegation was worthy of the State.

The princely hospitality of the people of Charleston reflects infinite credit on their taste and their liberality, and stands in advantageous contrast to the barren results and prosy declamation of the Convention. Our only apprehension is, that such delicate attention and such richly-laden tables may perpetuate the nuisance of "Southern Commercial Conventions."

"Capture" of a Russian Vessel.—A letter from Waterford, published in the Tipperary *Free Press*, gives the following version of the seizure of the Russian ship Nordon:

"We have had an affair here which might well be called 'serio-comic,' partaking, in some degree, of the warlike and the ridiculous. It appears that a report of a Russian merchant vessel being seen off the coast caused our revenue cutter, well manned and armed, to proceed immediately out to give a good account of her. High expectations of a rich prize cheered the hearts of our jolly and gallant tars, who, the moment they hove in sight, 'gave her a shot in the locker,' soon after boarded her, and hauled down at once the Russian flag, giving three cheers for the Queen and a stave of 'Rule Britannia' in prime style. The captain of the brig quietly submitted to his conquerors, and unresistingly suffered his doomed ship to be steered into port. What a singular circumstance, that the first bloodless victory over the Autocrat of all the Russias should be thus achieved within the view of the old *urbs intacta!* No wonder that feelings of pride and exultation should predominate, but, alas! they were only of short duration; for when the Russian captain found it convenient to make himself intelligible to his captors, they discovered, to their great dismay and disappointment, that 'they had only caught a tartar,' who had cunningly, the night before, struck a bargain for both ship and cargo, with a Waterford merchant, for a sum said to be under £3,000."—*London Times, April 4.*

A Grain Fleet.—The *Chicago Journal* of Wednesday last records the departure of quite a fleet of vessels from that port, all loaded with grain, for Buffalo and Oswego. The fleet numbered nineteen vessels, (three barques, six brigs, and ten schooners,) having on board 260,120 bushels—of which 208,332 bushels were of corn, 32,939 bushels of wheat, and the balance barley and oats. Of the whole quantity, over 213,000 bushels went to Buffalo.

Franklin Pierce still continues to forward his "*affectionate regards*," to the Free Soil members of our Legislature. One of these documents was shown us on Monday by a member from this county.

Manchester (N. H.) Democrat.

The more any nation traffics, upon free and honest principles, the less it will be in danger of war.—*Colden.*